

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>10/1/07</u>

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*Attorneys for Plaintiffs/Counterclaim-Defendants
American Home Mortgage Investment, Corp. and
American Home Mortgage Corp. and
Counterclaim-Defendant American Home Bank*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN HOME MORTGAGE
INVESTMENT, CORP., a Maryland Corporation,
and AMERICAN HOME MORTGAGE CORP.,
a New York Corporation,

Plaintiffs,

- against -

AMERICAN HOME BANK, N.A.,
a National Banking Association,

Defendant.

AMERICAN HOME BANK, N.A.,
a National Banking Association,

Counterclaim-Plaintiff,

- against -

AMERICAN HOME MORTGAGE
INVESTMENT, CORP., a Maryland Corporation,
AMERICAN HOME MORTGAGE CORP.,
a New York Corporation and AMERICAN HOME
BANK, an Illinois Savings Association,

Counterclaim-Defendants.

Index No.: 07 CIV 4077 (LAP)

**CONSENT TO
SUBSTITUTION OF
ATTORNEY AND ORDER**

IT IS HEREBY STIPULATED, CONSENTED AND AGREED, upon the accompanying declaration of Yoav M. Griver, pursuant to Rule 1.4 of the Local Rules for the United States District Court for the Southern District of New York, that Greenberg Glusker Fields Claman & Machtinger be substituted as attorneys of record for Plaintiffs/Counterclaim-Defendants, as of the date hereof.

Dated: New York, New York
September 25, 2007

ZEICHNER ELLMAN & KRAUSE LLP

By: 

Mark Zeichner
Yoav M. Griver
575 Lexington Avenue
New York, NY 10022
(212) 223-0400

GREENBERG GLISKER FIELDS CLAMAN &
MACHTINGER

BY: 

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PLAINTIFFS/COUNTERCLAIM DEFENDANTS
AMERICAN HOME MORTGAGE
INVESTMENT CORP., AMERICAN HOME
MORTGAGE CORP., AND
COUNTERCLAIM DEFENDANTS
AMERICAN HOME BANK

BY: 

SO ORDERED:

511106.01/10331-052/YG

September 28, 2007


Loretta A. Pryor
CLERK

Mark Zeichner
Yoav M. Giver
Zeichner Ellman & Krause LLP
575 Lexington Avenue
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Plaintiffs,

- against -

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a National Banking Association,

Defendant.

AMERICAN HOME BANK, N.A.,
a National Banking Association,

Counterclaim-Plaintiff,

- against -

AMERICAN HOME MORTGAGE
INVESTMENT, CORP., a Maryland Corporation,
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**DECLARATION OF
YOAV M. GRIVER**

STATE OF NEW YORK,
COUNTY OF NEW YORK.

YOAV GRIVER, pursuant to 28 U.S.C. § 1746 and under the penalties of perjury, declares:

1. I am a member of Zeichner Ellman & Krause LLP, attorneys for plaintiffs/counterclaim defendants American Home Mortgage Investment Corp. and American Home Mortgage Corp. and Counterclaim-Defendant American Home Bank (collectively "AHM") in this action. I am a member of the bar of this Court.

2. Pursuant to Local Rule 1.4, I offer this declaration in support of the accompanying Consent Stipulation to Zeichner Ellman & Krause LLP's ("ZEK") withdrawal as counsel of record.

3. After ZEK's withdrawal, AHM will continue to be represented by attorney Steven Weinberg of Greenberg Glusker Fields Claman & Machtinger ("GGFCM").

4. AHM seeks this change in light of their attempt to manage costs as part of their recent bankruptcy. ZEK's withdrawal will cause no disruption to this case. Attorney Steven Weinberg of GGFCM has functioned as AHM's outside intellectual property counsel for years and is familiar with this case. Further, this case is in an early stage. Discovery has not yet begun, and no pretrial scheduling order has been issued.

5. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 25, 2007


YOAV M. GRIVER

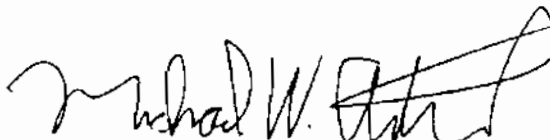
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STATE OF NEW YORK,
COUNTY OF NEW YORK

AFFIDAVIT OF SERVICE
BY FIRST CLASS MAIL

Michael W. Antonivich, being duly sworn, says: that I am over the age of eighteen years, and am not a party herein, and reside in Nassau County, New York and that on the 26th day of September, 2007, I served a true copy of the within **Consent to Substitution of Attorney and Order and Supporting Declaration of Yoav M. Griver** upon the attorneys hereinafter named at the place hereinafter stated by depositing the same, properly enclosed in a post-paid, properly addressed wrapper, into the exclusive care and custody of a depository maintained and controlled by the U.S. Post Office for delivery by first class mail to said attorneys at their last known address given below:

James E. Hough
Jamie A. Levitt
Rachel L. Quitkin
MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, New York 10104-0050



MICHAEL W. ANTONIVICH

Sworn to before me this
26th day of September, 2007


NOTARY PUBLIC

ARLENE S. LEVINE
Notary Public, State of New York
No. 80-4893128
Qualified in Westchester County
Commission Expires 5/18/11